

MINUTES OF THE CITY OF BURLINGTON  
CITY COUNCIL MEETING  
OCTOBER 5, 2010

The City Council of the City of Burlington held a regularly scheduled meeting in the Council Chamber, Municipal Building, 425 South Lexington Avenue, Burlington, N. C., 27216-1358, on October 5, 2010, at 7:00 p.m.

Mayor Ronnie K. Wall presided

Councilmembers Present: Mayor Wall, Councilmembers Huffman,  
Ross and Faucette

Councilmembers absent: Councilmember Butler

Harold Owen, City Manager: Present

Robert M. Ward, City Attorney: Present

Jondeen D. Terry, City Clerk: Present

INVOCATION: Councilmember Jim Butler

PROCLAMATION: October - "Fire Prevention Month"

MEDAL OF VALOR: Officer First Class Winston Y. Meadows

APPROVAL OF MINUTES:

- a. September 16, 2010 - City Council Community Meeting -  
Kernodle Senior Center
- b. September 20, 2010 - City Council Work Session
- c. September 21, 2010 - City Council Meeting

Upon motion by Councilmember Faucette, seconded by Mayor Pro Tem Huffman, it was resolved unanimously to approve the above mentioned minutes.

ADD ON: New Business - Halloween Resolution

Upon motion by Mayor Pro Tem Huffman, seconded by Councilmember Ross, it was resolved unanimously to add the above-referenced item.

## ADOPTION OF AGENDA

Upon motion by Councilmember Ross, seconded by Mayor Pro Tem Huffman, it was resolved unanimously to adopt the agenda with the add on.

## CONSENT AGENDA:

### ITEM 1:

A) To temporarily close Lexington Avenue from Davis Street to Maple Avenue for the Downtown Spooktacular Costume Parade on October 29, 2010, from 2:00 p.m. to 3:30 p.m. Beginning at 3:00 p.m. a patrol car will escort the parade participants starting at Lexington Avenue and Maple Avenue and through the following intersections:

1. Maple Avenue and Spring Street
2. Spring Street and Davis Street
3. Spring Street and Front Street
4. Front Street and Main Street
5. Front Street to the Depot courtyard

B) To approve a final plat of Burlington Commerce, LLC, Lot 5, Common Elements Plat. The property is located on the north side of Hanford Road approximately 400 feet west of Anthony Road as shown on plans by Fleming Engineering, Inc., dated September 1, 2010, and containing one lot.

C) To approve a final plat of Alamance Crossing, Lot 23, Subdivision. The property is located at the northeast intersection of St. Mark's Church Road and Boone Station Drive as shown on plans by MSS Land Consultants, PC, dated August 6, 2010, and containing seven lots.

D) Budget Amendment 2011-14 - Spay/Neuter Clinic - Donation from PAWS

### BA2011-14

#### Increase Revenues:

010-33305-5221	Donations-Spay/Neuter Clinic	\$14,000
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#### Increase Expenditures:

010-51521-3390	Equipment Not Capitalized	\$14,000
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E) Budget Amendment 2011-15 - Close out Willowbrook Park Multi-Use Trail Project Ordinance Capital Project. It has been determined that it would not be beneficial for the City to proceed with this grant opportunity at this time.

Upon motion by Mayor Pro Tem Huffman, seconded by Councilmember Ross, it was resolved unanimously to approve the foregoing consent agenda.

REQUEST AND COMMUNICATION:

ITEM 2: Heather Bjork - Stericycle Medical Waste Incinerator

Mayor Wall announced that Ms. Heather Bjork had requested to address the City Council concerning Stericycle Medical Waste Incinerator.

Ms. Bjork stated she had been a resident of Alamance County for 14 years. She said that she became involved with this project as a citizen that was concerned for her two children. She stated that mercury is toxic to fetuses and young children. Below is an excerpt from her presentation:

"NC is the Medical Waste Incineration Capital in the nation (NC has 3 commercial incinerators out of 56 remaining today). Two of these incinerators are located in Graham (owned by Stericycle Inc.) and one in Matthews. 34.2 million pounds of medical waste was incinerated last year in NC at these two facilities. Last year (2009-2010), Stericycle received and incinerated 27,241,760 pounds of medical waste from 22 states including medical waste from NC.<sup>1</sup> NC facilities send 53 to 66% of the total waste burned at Stericycle (yearly average = 62%).<sup>2</sup> Last year Stericycle burned 172.4 pounds of medical waste for every man, woman and child in Alamance County. Per person per day this amounts to approx. ½ lb (0.47 pounds).<sup>2</sup> Last year, 9,863,740 pounds of ash were produced by Stericycle at this location, the equivalent of 62.41 lbs. of ash per person.<sup>3</sup> Every week Stericycle sends 189,700 lbs of ash waste to Person County. Stericycle has spent \$ 3 M on technological upgrades in 11 years

4.

In 2009 the Environmental Protection Agency (EPA) issued new rules that require all medical waste incinerators to come into compliance with more protective standards for air pollutants by 2014 at the latest. To date, thirteen local governments (cities, towns and counties) in NC have adopted a resolution requesting that the NC Environmental Commission require ALL medical waste incinerators in the state come into compliance by 2012 (see list below). The reduction of emissions at Stericycle under the new EPA limits will be significant - 98% reduction in dioxins/furans toxic equivalency, 97% reduction in lead, 97% reduction in mercury, 94% reduction in cadmium, 93% reduction in hydrogen chloride & others. (see attachment - Stericycle Table Analysis of Air Standards) Currently, Stericycle releases levels of mercury that are 10.6 times higher than the new EPA's level for mercury emissions and releases lead at the level of 5.6 times higher than the new EPA's acceptable emissions levels.

Late Oct./early Nov., the state will decide whether to move EPA compliance up by 2 years to 2012, how to handle bypass events, and whether they will strengthen the rules on segregating plastics, paper and metals from incineration. I will ask The City of Burlington (at the 10/5 meeting) to support the resolution (see attachment - City of Burlington Resolution) for all medical waste incinerators in the state to come into compliance with the new EPA standards by 2012 instead of 2014.

#### IN CONCLUSION

- Stericycle has an autoclave (non-incineration used) in Concord that could handle much of the waste being incinerated in Graham currently as stated by reps from company
- Even if Stericycle opted not to send the medical waste to its dual incinerators in Graham, the Division of Air Quality for Mecklenburg County stated that to upgrade Stericycle's plan would be \$ 100-150 K/year which is well within the financial budget of Stericycle (averaged a 30% annual return over the past decade, \$ 1.1 B in revenue, earnings \$ 175-179 M) <sup>29</sup> and would not put the company out of business.
- The CDC states that only 2% of a hospital's waste stream needs to be incinerated to protect public safety. There are four non-incineration technologies for medical waste disposal readily available. NONE of these technologies create DIOXINS!
- Medical waste incinerators are the third largest source of dioxin (a known human carcinogen) emissions.

- Children and fetuses are at a greater risk and the impacts more harmful from exposure to dioxins, mercury, lead and other emissions and the closer the proximity to the incinerator, the more concentrated the emissions. There are 13 schools and 23 daycares within a 5 mile radius of the medical waste incinerators in Haw River.

WHY ARE WE & OUR FAMILIES IN ALAMANCE COUNTY BEING NEEDLESSLY  
PUT AT RISK?

Based on this data, I am asking each of you to support the resolution for adoption of the stricter emission standards for medical waste incinerators for adoption by 2012 instead of 2014."

At the conclusion of Ms. Bjork's presentation, she asked Mayor Wall if the Council would vote, and he replied "no".

Mayor Pro Tem Huffman stated that she was appearing in front of the wrong board. He stated the Council did not have the background information to evaluate and that it was not a decision for the Council.

Ms. Bjork said she disagreed respectfully. She said she had met with the NC Division of Air Quality and Waste Management and that those individuals were very interested in receiving these resolutions. She said the process was initiated by Mecklenburg County and that other counties have agreed. She said that 2012 was a realistic date. She said it was a matter to be heard in front of the Council based on the well-being of the citizens. She stated that most citizens of Burlington were within the 5-10 miles.

Mayor Wall thanked Ms. Bjork for her presentation and stated that the Council would not take a vote.

Ms. Bjork asked if Mayor Wall would like Stericycle to speak and then a vote could be taken, and Mayor Wall answered "no".

Councilmember Ross said there had been lots of accusations made against this company but that there was no feedback from them.

No action was taken.

NEW BUSINESS:

ITEM 3: Halloween Resolution

Mayor Wall announced that Council would consider adopting a resolution recognizing that Halloween trick or treating take place on Saturday, October 30, 2010.

City Manager Owen stated that City staff received many calls from residents looking for direction as to when to take kids trick or treating when Halloween falls on Sunday. He said trick or treating on Saturday would coincide with the fireworks display at the City Park. He explained that designating Saturday as trick or treat night was an effort to increase safety.

Councilmember Faucette moved for the adoption of the following resolution:

10-22

RESOLUTION URGING RESIDENTS TO OBSERVE A SAFE HALLOWEEN

WHEREAS, the Burlington Recreation and Parks Department coordinates the annual Halloween fireworks display and event; and,

WHEREAS, this year's event will be held on Saturday, October 30, 2010, at the City Park; and,

WHEREAS, the Burlington City Council recognizes that Halloween trick or treating should take place on Saturday, October 30, 2010; and,

WHEREAS, that all children taking part in trick or treating should be clothed in safe costumes, featuring materials that can be seen in the dark by motorists and masks that do not obstruct the children's vision; and,

WHEREAS, that parents and/or guardians inspect collected treats carefully before they are consumed by children.

NOW THEREFORE, BE IT RESOLVED by the City Council that residents who desire to participate in traditional Halloween trick or treating observe certain safety, courtesy and common sense guidelines to protect participants and preserve the peace for non-participants.

The foregoing resolution was seconded by Councilmember Ross, and it was passed unanimously.

PUBLIC COMMENT PERIOD

There were no public comments.

CITY COUNCIL COMMENTS

Mayor Wall:

- Councilmember Butler is out-of-town on business.
- Mayor Wall asked Councilmembers to begin thinking about agenda items and dates in January or February 2011 for the City Council retreat.
- If questions about the merger of the COG's, contact Mayor Wall before October 13, 2010.
- PAWS Fund Raiser, Thursday, October 7<sup>th</sup>.
- New Leaf Society Gala, Friday, October 8<sup>th</sup>.
- Fall Family Event, Saturday, October 9<sup>th</sup>, at Lake Cammack.

ADJOURN:

The meeting was adjourned.

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Jondeen D. Terry  
City Clerk